

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2010-007827

03/01/2011

HONORABLE PETER C. REINSTEIN

CLERK OF THE COURT
G. Verbil
Deputy

IN RE THE MATTER OF
LEA DAWN WILLIS

LEA DAWN WILLIS
7765 W GLEN DR
GLENDALE AZ 85303

AND

LUKE C LENARD

LUKE C LENARD
4937 W MYRTLE AVE # 316
GLENDALE AZ 85301

CONCILIATION SERVICES-CCC
TASC - PHOENIX

MINUTE ENTRY

Courtroom 605

9:55 a.m. This is the time set for a Return Hearing on Respondent's Petition to Modify Child Custody, Parenting Time and Child Support. Petitioner/Mother is present, appearing on her own behalf. Respondent/Father is present, appearing on his own behalf.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Lea Dawn Willis and Luke C. Lenard are sworn.

Luke C. Lenard testifies.

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Lea Dawn Willis testifies.

Discussion is held with the Court.

The Court having determined that this is an appropriate matter to be referred to Conciliation Services for an interview of the minor children, and the Court having contacted Conciliation Services in open Court to determine a time for the interview,

IT IS ORDERED referring this matter to Conciliation Services for an interview of the minor children on **March 14, 2011 at 10:30 a.m.**

IT IS FURTHER ORDERED that Mother shall a single Screen A drug test and Hair Follicle drug testing on the following basis:

- A. Agency. Mother's single Screen A drug test and Hair Follicle drug testing shall be conducted at a location of TASC, Inc., the main office of which is at 2234 North 7th Street, Phoenix, Arizona, 602-254-7328. Other locations are listed on the TASC referral form and may be viewed at www.tascaz.org.
- B. First Test. Mother shall report to TASC no later than 5:00 p.m. today for her first test.
- C. Scope. Mother shall undergo a full spectrum substance and drug test (Screen "A") and Hair Follicle testing.
- D. Cooperation. Mother shall cooperate fully as reasonably required by the testing agency to comply with this Order, including:
 - a. Mother shall provide such samples as are reasonably required by the testing agency to comply with this order.
 - b. Mother shall timely report for testing and provide samples as directed by the testing agency.
 - c. Mother shall present photo identification to the testing agency at the time of each test.
 - d. Mother shall sign and deliver such forms of consent, authorization and release of test results as shall be reasonably required by the testing agency to comply with this Order.

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- E. Cost. Mother shall pay the cost of her testing (\$25.00 per Screen A; \$65.00 per Hair Follicle) in money order or cashier's check at the time of testing.
- F. Positive/Diluted/Missed Test. In the event that Mother tests positive on any test, misses a random test, or provides a diluted test sample on any test, the cycle and frequency of testing set forth in paragraph F above, shall be started again with weekly tests. All parties are advised that the failure, neglect or refusal to participate in testing, or providing a diluted test sample at the time of testing, may be considered an admission by the party that the testing, if properly conducted, would have revealed the use of the substance(s) tested for, which finding is contrary to the best interest of a child. Certain prescription medications may cause a positive drug test result. Parties who are required to drug test are expected to provide proof to the court of prescriptions and documentation from health care providers regarding the lawful possession and use of those medications.
- G. Reporting. The parties are hereby advised that test results ARE NOT confidential and will be filed in the Court file upon receipt by the Court. The results of each test shall be reported directly to counsel for both parties, or directly to the parties at the addresses provided by the parties to the testing agency, if unrepresented by counsel. The testing agency shall also provide this Court with a Monthly Drug Test Summary Report.

ISSUED: Court Ordered Substance Abuse Testing

IT IS ORDERED setting an Evidentiary Hearing on April 12, 2011 at 10:00 a.m. (Time allotted: 1 hour) before:

**The Honorable Peter C. Reinstein
Central Court Building
201 West Jefferson, Courtroom 605
Phoenix, Arizona 85003**

Pursuant to Rule 77(C)(5), Arizona Rules of Family Law Procedure, each party will be allowed 1/2 of the available time to present all direct, cross, redirect examination and any argument. The parties are expected to complete the hearing in the allotted time, and the time will not be extended absent a motion granted by the Court and filed at least thirty (30) days prior to the hearing setting forth good cause to extend the time and specifically including a list of each and every witness who will testify and an estimate of time and subject matter of the expected testimony for each witness.

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Disclosure/Discovery

IT IS ORDERED that the parties shall file the following documents five (5) business days prior to the hearing:

- a. A **Joint Pre-Hearing Statement** pursuant to Rule 76, Arizona Rules of Family Law Procedure.
- b. A current Affidavit of Financial Circumstances completed by each party.
- c. If either party believes child support is an issue, a Parent's Worksheet for Child Support Amount completed pursuant to the Statewide Child Support Guidelines.
- d. If spousal maintenance is requested and disputed, each party shall state the amount and duration of spousal maintenance requested.
- e. If division of debts is an issue, the parties shall prepare and exchange a list of all debts, including creditor's name, amount of debt, monthly payment amount, the reason the debt was incurred, who should pay the debt, and all of the information required by A.R.S. §25-318(H).

IT IS FURTHER ORDERED that the failure of counsel or any party to appear at the time of hearing, or to timely present the Joint Pre-hearing Statement in proper form, including each and every attachment required, shall, in the absence of good cause shown, result in the imposition of any and all available sanctions pursuant to Rule 70(D), Arizona Rules of Family Law Procedure and Local Rules 6.2(e) and 6.9(b), including proceeding to hear this matter by default based upon the evidence presented by the appearing party.

Exhibits

IT IS ORDERED that any documents or other items intended to be submitted as exhibits at the time of the hearing shall be hand-delivered to the Clerk of this Division at least **five (5) business days prior to the hearing**. The exhibits shall be submitted with a coversheet listing the description of each exhibit and separated by a sheet of **colored** paper to easily identify where one exhibit ends and the next begins. Duplicate exhibits shall not be presented and will not be marked. **Any exhibits not submitted by noon on this date will not be accepted. The parties shall also provide the Court and the adverse party with a separate copy of all exhibits.**

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IT IS FURTHER ORDERED that the parties shall indicate in the Joint Pre-hearing Statement which exhibits they have agreed will be admissible at hearing as well as any specific objections that will be made to any exhibit if offered at hearing which is not agreed to be admitted. Reserving all objections to the time of hearing will not be permitted. At the time of hearing all exhibits which the parties have agreed will be admitted and all exhibits for which no specific objection is stated in the Joint Pre-hearing Statement shall be summarily admitted.

Settlement

Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the Court as required by Rule 70, Arizona Rules of Family Law Procedure.

NOTE: All Court proceedings are recorded by an audio method and not by a court reporter. Any party may request the presence of a court reporter by contacting this division three court business days before the scheduled hearing.

10:09 a.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.